

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA	§	
	§	
Plaintiff	§	
	§	
v.	§	
	§	
\$229,590.00 in United States Currency	§	
Seized from a Safe in the Home of	§	Case No. 3:12-CV-893-D
Dallas County Commissioner	§	
John Wiley Price	§	ECF
	§	
\$230,763.47 from Dallas County	§	
Commissioner John Wiley Price's	§	
Sale of 7001 Grady Niblo Road,	§	
Dallas, Texas	§	
	§	
Defendants <i>In Rem.</i>	§	

MOTION FOR LEAVE TO FILE MOTION FOR EXTENSION 1 DAY OUT OF TIME

Claimant Dapheny E. Fain moves, this Court to grant her leave to file her motion for extension to answer interrogatories 1 day out of time.

1. On July 24, 2012, Special Agent Donald Sherman served a set of interrogatories on Claimant Fain's attorney, Thomas W. Mills.
2. On August 14, 2012, this Court granted the agreed motion to extend the deadline by 90 days. (Dkt. # 26). Thus, the interrogatories were due November 13, 2012.
3. Counsel believed, based on prior email communication, that the attorney for the government had withdrawn the interrogatories. Counsel was informed by the attorney for the government in a telephone call on November 13, 2012, that the interrogatories were not withdrawn. Thus, based on the email communication with the government's attorney, as well as the fact that the government moved for default judgment, counsel believed that the interrogatories were on hold.
4. Counsel was further informed, in a telephone call on November 14, 2012, that the government did not intend to compel Ms. Fain to answer the interrogatories.

Wherefore, Claimant respectfully requests leave to file her motion for extension to answer interrogatories 1 day out of time.

Respectfully submitted,

/s/ Thomas W. Mills, Jr.

THOMAS W. MILLS, JR.

State Bar No. 14167500

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ATTORNEYS FOR CLAIMANT

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of November, 2012, I electronically filed the foregoing instrument, using the ECF system of this Court. A copy of this instrument is being provided to all counsel of record via the ECF system of the court.

/s/ Thomas W. Mills, Jr.

THOMAS W. MILLS, JR.